

## **INSTRUCTIONS FOR COMPLETING APPLICATION FORM MR-400GP1 (DHEC Form #3114)**

Completion and submission of this form is necessary for any operator requesting a General Mine Operating Permit in S.C.

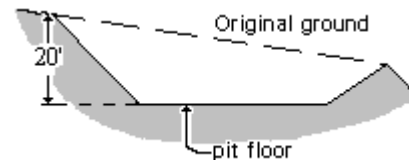
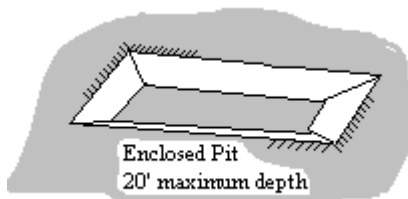
### **PART I APPLICANT INFORMATION:**

- 1) Provide name of company requesting permit and check the type of business entity.
- 2) Provide the name of the proposed mine and the county where the proposed site is located.
- 3) List information for the home office including complete address, telephone and fax numbers.
- 4) List information for the local office including complete address, telephone and fax numbers.
- 5) If the *Home Office Address* is different from the *Local Office Address*, designate the address for *Official Mail*.
- 6) Name the person responsible for receipt of DHEC correspondence; include company title and e-mail address (if applicable).
- 7) Note the location of mine by highway number and nearest town.
- 8) Provide name of 7.5' USGS topographic map where the site is located.
- 9) On a topographic map, or a 8.5 x 11" photocopy of appropriate area, outline the location of the proposed site (see Appendix B for additional locations to purchase topographic maps). **This is a requirement.** Map legend should include names of company, proposed mine, and topographic quad sheet.

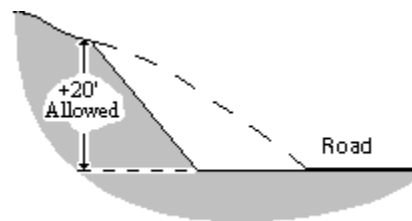
### **PART II OPERATIONS AND SITE CHARACTERIZATION:**

Mining under the GP1 is limited (as stated on Page *i* of *GP1 Information*). Questions 1 - 3 help determine eligibility under the GP1.

- 1) **Check material(s) to be mined.** Either one or both may be mined; however, by law, only sand/ clay and/ or topsoil may be mined under the GP1. An Individual Mine Operating Permit must be issued for any other mineral commodity.
- 2) **State acres to be disturbed by mine activity.** Under GP1, the maximum acreage that can be affected (disturbed) is 5 acres. Affected acres include the actual pit plus any stockpiles, access/ haul roads or sediment traps associated with the mining. If, prior to mining, a road exists that can be used for the access road, that road will not be considered in affected acres. If an access road must be constructed to enter the site, the acreage disturbed by road construction must be included in the total affected acreage.
- 3) **State the depth of mining.**
  - A) If the site is reclaimed as an enclosed basin or to a land use other than commercial/ industrial property, the GP1 is limited to twenty (20) feet below the original ground surface.



- B) If the mined land is located adjacent to a public road and will be reclaimed to commercial/industrial property, it may be exempt from this depth limit. For these sites, excavations can bring the mined property to road level (thereby creating additional level land adjacent to the road). With this exemption, the 20-foot depth limit would not apply, but mining could not extend below the elevation of the adjacent road.



- 4) **Provide an estimate on the duration of mining.** The answer should indicate the predicted time mining operations will occur. The GP1 requires reclamation be initiated within 180 days after mining is terminated at the site *or* on any portion of the site.
- 5) The S.C. Mining Act does **not** supersede local zoning ordinances.
  - A) **List the zoning designation of the area where mining under the GP1 will occur.** If the area is not zoned, place *NA* (Not Applicable) in the space for the designation.
  - B) **State if mining is an allowed activity based on zoning designation.** The applicant is responsible for determining if the designated zoning allows for mine activity. If mining is not allowed, the applicant has one of the three options before the GP1 can be issued: 1) receive a variance to the designated zoning; 2) complete a successful petition to having the area rezoned; or 3) submit a letter from the zoning administrator stating the scope of the proposed operation will not violate zoning for the area.

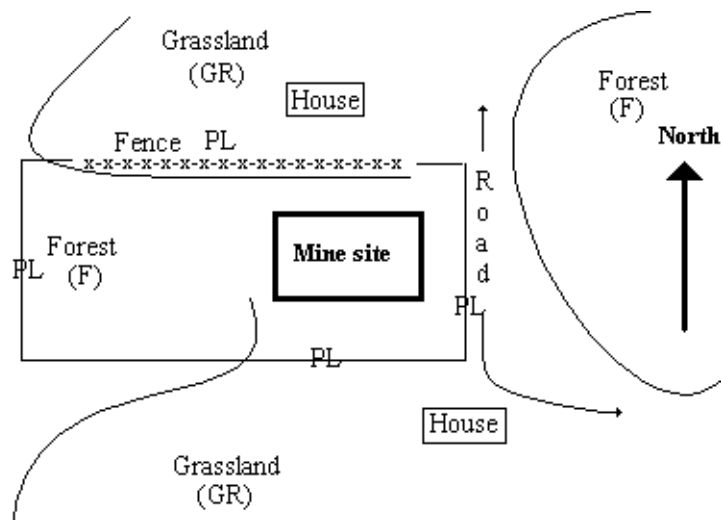
6) Give a description of the uses of the land adjacent to the proposed mine. Include a sketch of the mine site showing adjacent uses.

A. In the spaces provided, indicate the number of residences, churches, business, etc. found within given distances from the site.

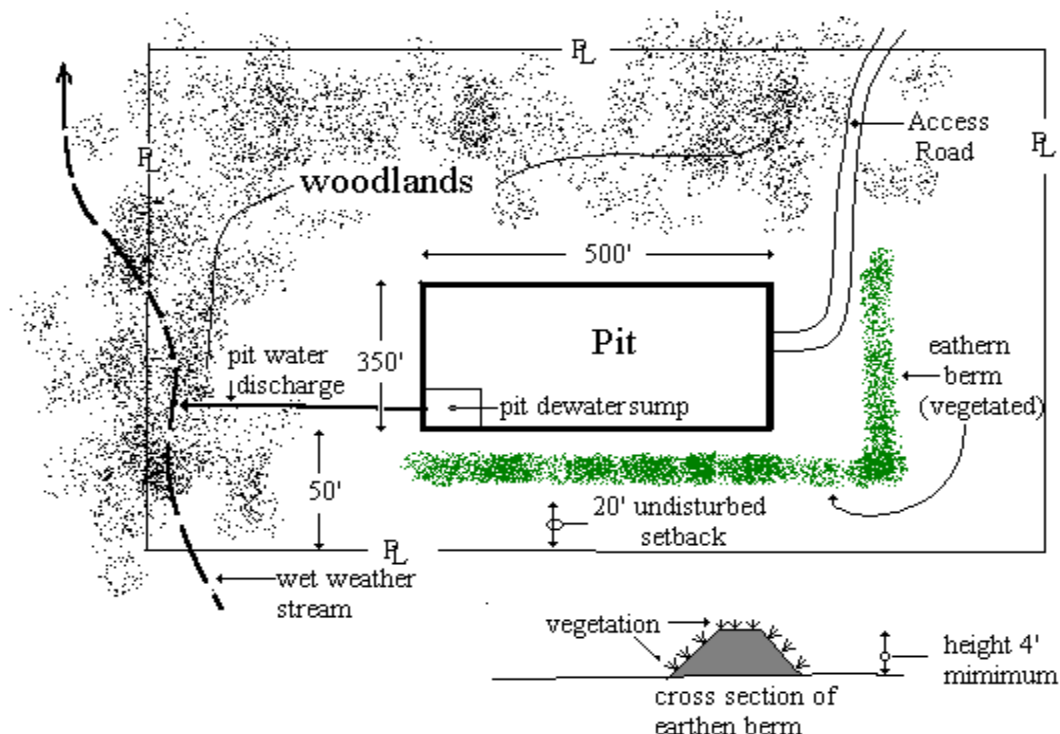
For example, if 2 houses are 150 feet from the mine and 1 house is located 800 feet from the mine, the answer would be:

1,000 ft. 1      500 ft. 0      200 ft. 2      (The numbers should not be cumulative.)

B. Draw a sketch of the mine site. As shown in the example, the sketch (not a scale drawing) should indicate the types of land uses in relation to the mine at the time of the application. The land uses include: grassland (GR), forest (F), ponds (P), lakes (L), streams (ST), rivers (RV), wetland s(WL), houses(H), churches (CH), commercial facilities (CF), roads (RD), property lines (PL), fences (FN) and playground/parks (PG).

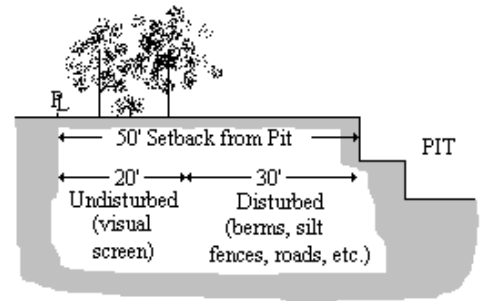


7) Draw a mine map to scale. Scale should be 1" = 100' or 1" = 200'. The mine map should indicate how the mine will be laid out. Below is an example of the information to be placed on the mine map. Include 3 copies of the map.



- 8) **A. Indicate whether existing vegetation is sufficient to screen the view of the operation from adjacent residences.**  
**B. State the distance from the edge of the pit to the closest adjacent property line.** The GP1 requires a minimum 50 foot setback from the excavation to the property line (see diagram).

The GP1 requires sites be screened from view, preferably with existing vegetation. If existing vegetation is not sufficient, the construction of a berm may be required. If the thickness shrubs or trees is enough to block the view of the mine from adjacent property, the existing vegetation should be left in place and construction of a vegetated earthen berm is not necessary. If the mine is within 500 feet from an adjacent home or building and vegetation is not sufficient to visually screen the mine, an earthen berm should be constructed to minimize the view of the mine. Upon completion of construction, the berm shall be seeded to establish vegetation for sediment and erosion control.



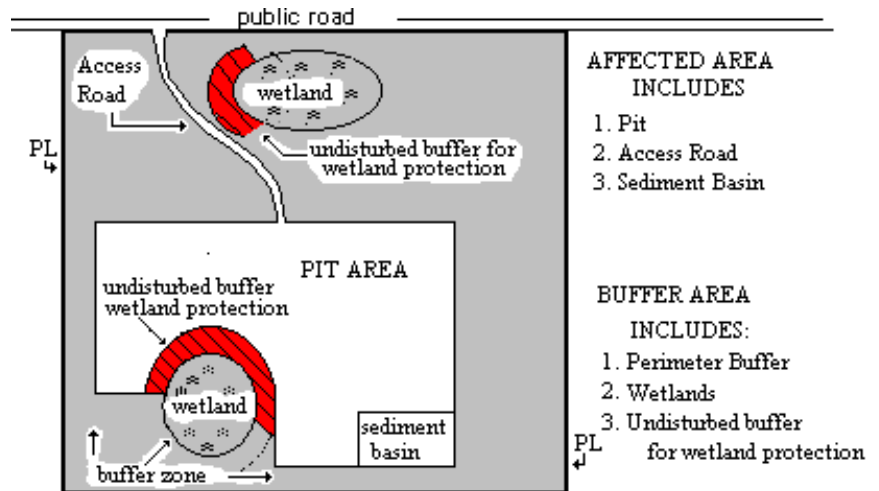
If the operation will be of short duration (i.e., 4 months or less) construction of an earthen berm may not be practical. Or, if the site is considered a mine but plans are to excavate the sand/clay to the same level of the adjacent road, a berm may not be necessary; this may be particularly true in commercial areas, but the applicant/ operator should use good judgment to determine if a berm will be feasible as a visual screen. The Department reserves the right to require an earthen berm if, after consultation with the operator, the inspector determines a berm is feasible and in the best interest of neighboring property owners.

- 9) **A) Indicate if a fence around the mine site would be required.** If the mine is within 1,000 feet of a school or playground (e.g., park, church, or any other area of public safety concern) a fence must be installed as a safety measure to control access to the operation. Fence requirements are outlined in Section 89-140 of the regulations.  
**B) Indicate if the proposed mine is located within 1000' of a play area.**

10) Mining in wetlands under a GP1 is not allowed. The applicant/operator must satisfy the U.S. Army Corps of Engineers (Corps) and/ or the S.C. Office of Ocean and Coastal Resources Management (OCRM) that mining will not be disturb wetlands.

- A. Check if mining will occur in wetlands.** If there are indications of potential wetlands in the area where mining will occur, the applicant/ operator should contact the Corps, OCRM or a competent wetland specialist to determine if wetlands are in or near the area requested (see Appendix A).

- B. Check if wetlands or surface waters are present at or near the site.** If so, the operator must protect the water resource with a required 50-foot undisturbed setback between mine activities and water resource. This 50 foot undisturbed buffer line must be visibly marked for the duration of mining to avoid accidental encroachment into the undisturbed buffer.



- C. 1) Indicate if the access road will need to cross wetland areas.**  
**2) If access will cross a wetland area, check whether an alternate route exists in an upland area.** The Corps has a Nationwide Permit allowing temporary access roads across wetlands to access mine sites(\*). With proper installation, these temporary access roads are allowed until the termination of mining. At the end of mining, per the approved reclamation plan, the road must be removed and the wetlands restored. Access roads should be constructed in wetlands only if there is no alternate upland route to the mine site.

\*For mines in the Coastal Zone Management (CZM) area of South Carolina, the GP1 does not allow for temporary access roads across wetlands. The CZM area includes the following counties: - Horry, Georgetown, Berkeley, Charleston, Dorchester, Colleton, Beaufort and Jasper. If an access road must be constructed though wetlands in the CZM area, the operator must contact OCRM (see Appendix A) for permitting and proper mitigation before a GP1 permit can be issued.

**11) Check if groundwater will be discharged from the mine site.**

**ALL MINES OPERATING UNDER THE GP1 ARE REQUIRED TO OBTAIN A PERMIT FROM DHEC'S BUREAU OF WATER (BOW). SEE APPENDIX C FOR INFORMATION CONCERNING THE GENERAL PERMIT FOR MINE OPERATIONS ISSUED BY THE DIVISION OF INDUSTRIAL, AGRICULTURAL & STORMWATER PERMITTING.**

**12) Check if the proposed mine is located in an area of known cultural and/ or historic (C&H) interest.** Archaeological materials, items fifty years or older and made or used by humans, may be present on the ground surface and/ or under the surface. These items include, but are not limited to, stone projectile points (arrowheads), ceramic sherds, bricks, oyster shell, worked wood, bone and stone, metal and glass objects, human skeletal remains, and concentrations of charcoal and stones below the ground surface. If the applicant has knowledge of C&H resources on the site where mining is planned, mining is not authorized until an intensive archaeological survey is performed to locate the C&H resources. This survey must be approved by the S.C. Department of Archives and History. Each significant C&H resource shall be protected by a 50-foot setback; the setbacks must be visibly marked prior to mine activity; these buffers shall be maintained for the duration of activity.

**13) Indicate the planned land use of the mine site after final reclamation.** The final use can be changed provided all requirements, as stated in the GP1 reclamation plan, are met.

**14) A. Note whether the mine site is owned or leased by the operator.**

**B. 1. If land is owned by the applicant, indicate who will mine the site.**

**2. If the landowner/ applicant is contracting the excavation, check whether more than one contractor will mine the site.**

The objective of GP1 is to permit the mine operator - the person or company actually conducting the excavation. The GP1 is not suited to the landowner who allows multiple contractors to mine the property rather conducting the mining himself. Without posting of a reclamation bond, it is important the responsible party (holder of the GP1) has the means to complete reclamation.

The owner/applicant can contract the mine operation; however, if a non-mining landowner wants to permit the site under the GP1, it should be understood that they, as permit holders, are responsible for:

- resolution of conflicts between different contractors allowed to mine under the landowner's GP1 that could adversely affect the mine reclamation;
- submission of report and fees (i.e., *Annual Reclamation Report, Annual Operating Fee*);
- submission of any applicable NPDES water quality discharge reports and fees;
- responsible to DHEC for violations of GP1 or other permits committed by contractors allowed to mine under GP1;
- civil penalties for violations committed at the mine site.

**C. Complete the name and mailing address of the landowner.** The landowner is the person paying the taxes of the property to be mined under GP1. Even if the operator/ applicant is the landowner, this information must be completed.

**15) Landowner signature.** Whether the operator / applicant a) owns the land, b) leases the land or c) has a verbal agreement with the landowner for services, this information must be submitted. This landowner must acknowledge, by his signature, that 1) a reclamation bond is not required, and 2) DHEC personnel have the right to enter the property for inspections.

**16) Applicant Acknowledgement:** By his signature, the applicant certifies the information submitted in the application is correct. In addition, the applicant acknowledges: A) the right of the Department to inspect the permit area of the GP1 operation; B) receipt of the GP1 Reclamation Plan and understanding of the responsibilities associated with reclamation standards for GP1 operations; C) responsibility for submission of the Annual Operating Fees and the Annual Reclamation Report (the report/ fees are required until reclamation is accepted by the Department and the permit is cancelled - not just until excavations have been completed).

**Submit the completed Form MR-400GP1 (DHEC Form 3114) to:**

S.C. Department of Health and Environmental Control (SCDHEC)

Bureau of Land and Waste Management (BLWM)

Division of Mining and Solid Waste Management (DMSWM)

Mailing address: 2600 Bull Street

Columbia, SC 29201

Office Location: 8911 Farrow Road

Columbia, SC 29203

Telephone No. 803-896-4261

Fax No. (803) 896-4001

e-mail: AskMines@dhec.sc.gov

Webpage address: <http://www.scdhec.gov/lwm/html/min.html>



SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
BUREAU OF LAND AND WASTE MANAGEMENT  
DIVISION OF MINING AND SOLID WASTE MANAGEMENT  
2600 Bull Street, Columbia, S.C. 29201  
Telephone Number (803) 896-4261 Fax Number (803) 896-4001

**APPLICATION FOR A GENERAL MINE OPERATING PERMIT - GPI**  
**FORM MR-400GP1 (DHEC Form 3114) DATE ADOPTED 1/15/99**

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The South Carolina Mining Act, Sections 48-20-10 through 48-20-310, Code of Laws of South Carolina, 1976, as amended, provides in part: "No operator may engage in mining without having first obtained from the Department an operating permit which covers the affected land and which has not been terminated, been revoked, suspended for the period in question, or otherwise become invalidated." (Section 48-20-60). Section 48-20-55 states "The Department may develop and implement general permits for the regulation of mining limited to excavations for topsoil or sand/clay fill material which do not require further processing. General permits developed by the Department must contain at a minimum, standard plans and specifications for environmental protection, storm water management, public health and safety protection, and reclamation of affected lands in accordance with promulgated regulations."

**I. APPLICANT INFORMATION (PLEASE PRINT or TYPE)**

1. Name of Company \_\_\_\_\_  
Check form of business entity: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Limited Partnership \_\_\_\_\_ Sole Proprietorship \_\_\_\_\_
2. Name of Proposed Mine \_\_\_\_\_ County \_\_\_\_\_
3. Home Office Address \_\_\_\_\_  
street and P.O. Box \_\_\_\_\_ telephone no. \_\_\_\_\_  
city \_\_\_\_\_ state \_\_\_\_\_ zip code \_\_\_\_\_ fax. no. \_\_\_\_\_
4. Local Office Address \_\_\_\_\_  
street and P.O. Box \_\_\_\_\_ telephone no. \_\_\_\_\_  
city \_\_\_\_\_ state \_\_\_\_\_ zip code \_\_\_\_\_ fax. no. \_\_\_\_\_
5. Designate office to which Official Mail is to be sent: Home Office \_\_\_\_\_ Local Office \_\_\_\_\_
6. Name, company title and e-mail address of person to be the contact for official business and correspondence:  
name \_\_\_\_\_ e-mail address \_\_\_\_\_  
title \_\_\_\_\_
7. Location of Mine: \_\_\_\_\_  
state or county hwy number \_\_\_\_\_ nearest town or city \_\_\_\_\_
8. Name of 7.5' U.S.G.S. Topographic Map that mine site is located: \_\_\_\_\_
9. Locate accurately on a photocopied section of the U.S.G.S. 7.5' Topographic Map the mine location and attach to this application. The entire map sheet need not be submitted. An 8.5 x 11 inch photocopy of the applicable portion of the map is sufficient. USGS maps area available at the SC Department of Natural Resources/ Map Division, 2221 Devine Street, Suite 222, Columbia, SC 29205; telephone number 803-734-9108. Refer to Appendix B of the *General Mine Operating Permit Information* for addresses and telephone numbers of other map dealers around South Carolina.

## II. OPERATIONS AND SITE CHARACTERIZATION

1. Material(s) to be mined: sand/clay \_\_\_\_\_ topsoil \_\_\_\_\_
2. Total acres requested to be affected under this permit: \_\_\_\_\_ acres  
*A maximum of 5 acres can be affected under the GMOP. Sites affecting 2 acres or less may begin mining upon receipt of the complete GPI application by the Department; sites affecting more than 2 acres must receive written notification of coverage under the GPI from the Department prior to mining.*
3. Projected depth of mining: \_\_\_\_\_ feet *Maximum depth allowed is 20 feet - see instructions.*
4. State the anticipated number of years this site will be mined: \_\_\_\_\_ years
5. A) Provide county or municipality zoning designation for the area where the mine will be located \_\_\_\_\_  
*(if area is not zoned, put N/A)*  
B) Does the zoning designation allow mining as a land use? Yes \_\_\_\_\_ No \_\_\_\_\_  
*If mining is not an allowed land use, the applicant must provide a letter from the local zoning department granting a variance from the designated zoning restrictions. With the limited size and potential short duration of the operation, the type of mines permitted by the GPI is typical of many construction activities; therefore, these mine operations may be considered consistent with county designated land use for the area.*
6. A) State number of houses (frame, trailer), commercial buildings, churches, etc. within the following distances of the planned mine:  
1,000 ft. \_\_\_\_\_ 500 ft. \_\_\_\_\_ 200 ft. \_\_\_\_\_  
B) With the diagram below showing the mine site, locate the existing land uses within 1,000 feet of the proposed mine site at the time of submittal of the Form MR-400GPI application. The land uses shown should include: grassland, forest, ponds, lakes, streams, rivers, wetlands, houses, churches, commercial facilities, roads, property lines and fences. This is **only** an indication of the existing adjacent land uses and not intended to be a scaled drawing of the area.



MINE

## OPERATIONS AND SITE CHARACTERIZATION (con't.):

7. Provide **three (3) copies** of a scaled drawing of the mine. The scale of map should range no greater than 1"=100' but no less than 1"=200'. The map should include the following information: footprint of the pit (indicate dimensions of the pit), access road, Best Management Practices (BMPs) for sediment and erosion control (i.e., brush barriers, silt fences, sediment traps, stone check dams, etc.), setback areas around the mine, location of earthen berms, location of vegetative visual screens, discharge point for groundwater from pit, and distance to nearest property line.
8. A) Given the GPI requirements for visual screening within 500 feet of a house, will **existing** vegetation be adequate to screen this site from homes within that distance? Yes \_\_\_\_\_ No \_\_\_\_\_
- B) State the distance (setback) the edge of the mine will be from the closest adjacent property line. \_\_\_\_\_ feet  
*GPI requires a minimum 50 feet setback distance to adjacent property lines.*
9. A) With the existing land use surrounding the proposed mine, is there any area of concern for safety necessitating a fence for public protection? Yes \_\_\_\_\_ No \_\_\_\_\_
- B) Is the mine is within 1,000 feet of a playground or school? Yes \_\_\_\_\_ No \_\_\_\_\_  
*If yes, the GPI requires a fence be installed for public safety.*
10. A) Is the proposed mine located in wetlands? Yes \_\_\_\_\_ No \_\_\_\_\_
- B) Are wetlands, streams, river or other water bodies located near the area where mining will occur? Yes \_\_\_\_\_ No \_\_\_\_\_  
*If yes, a 50' undisturbed setback from the water resource must be marked and maintained by the applicant/operator.*
- C 1) Will the access road to the site be constructed through wetlands? Yes \_\_\_\_\_ No \_\_\_\_\_
- 2) If **yes**, is there another route the access road can take without disturbing wetlands? Yes \_\_\_\_\_ No \_\_\_\_\_  
*GPI does **not** allow for access roads in wetlands for sites in the Coastal Zone Management Area (CZM) of S.C.*
11. Will groundwater be pumped and discharged from the mine? Yes \_\_\_\_\_ No \_\_\_\_\_

**\*For all GPI permits, a Notice of Intent (NOI) for a NPDES General Permit for Non-Metal Mineral Mining must be submitted to DHEC in accordance with Bureau of Water requirements.**

12. Is the proposed mine site located in an area known to have significant cultural or historic resources determined eligible for the National Register of Historic Places (NRHP)? Yes \_\_\_\_\_ No \_\_\_\_\_  
*If yes, a 50' undisturbed setback must be marked and maintained by the applicant/ operator from this resource.*
13. What is the anticipated land use upon final reclamation of the mine?  
grassland \_\_\_\_\_ pond \_\_\_\_\_ commercial \_\_\_\_\_ other (describe) \_\_\_\_\_
14. A) Is the land leased or owned by the applicant/operator? Owned \_\_\_\_\_ Leased \_\_\_\_\_
- B 1) If the land is owned by the applicant, will the site be mined by the applicant or a contractor? Applicant \_\_\_\_\_ Contractor \_\_\_\_\_
- 2) If mining at the site is contracted, will more than one contractor mine the site? Yes \_\_\_\_\_ No \_\_\_\_\_
- C) Complete the following information:
- Name of landowner: \_\_\_\_\_  
*landowner is the party responsible for payment of the property tax for land being mined*
- Landowner address: \_\_\_\_\_  
*street & P.O. Box, if applicable*
- \_\_\_\_\_ *city/ state/ zip code*
- Landowner phone number: \_\_\_\_\_  
*area code/ number*

15. The South Carolina Department of Health and Environmental Control (DHEC) and its representatives shall have the right, and are hereby permitted, to make whatever entries on the subject land and to take whatever actions as may be necessary in the sole judgment of DHEC or its representatives, in order to ensure reclamation is completed by the Operator in accordance with the terms of this GP1 and approved reclamation plan. However, these rights herein granted shall terminate upon a determination by DHEC that the site meets the minimum reclamation requirements and is released by DHEC. The landowner acknowledges this statement and the requirements of the approved GP1 and approved Reclamation Plan.

Mines operating under a General Mine Operating Permit are not required to post and maintain a mine reclamation bond with the Department. However, this does not lessen the minimum standards for mine land reclamation as stated in regulation 89-20-330 or as shown in the approved reclamation plan for sites mined under GP1.

Landowner signature \_\_\_\_\_  
Legal Signature

16. We hereby certify that all information and details contained hereinabove, within any supporting documents and on the map are true and correct to the best of our knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit revocation.

***A) The applicant acknowledges that Section 48-20-130, Code of Laws of South Carolina, provides in part:***

"Upon receipt of the operator's annual report or report of completion of reclamation and at any other reasonable time the department may elect, the department shall inspect the permit area to determine if the operator has complied with the reclamation plan, the requirements of this chapter, regulations promulgated by its authority, and the terms and conditions of this permit. Accredited representatives of the department at all reasonable times may enter upon the land subject to the certificate of exploration or operating permit for the purpose of making the inspection."

***B) The applicant acknowledges receipt of the approved GP1 Reclamation Plan (MR-500GP1). The applicant understands operations under the General Mine Operating Permit must meet the reclamation standards as stated in the GP1 Reclamation Plan.***

***C) The applicant acknowledges the requirement for submittal of the Annual Operating Fee and Annual Reclamation Report until such time the operation meets the minimum standards for reclamation and the permit is cancelled by the Department.***

\_\_\_\_\_  
Signature of Applicant/Operator or Authorized Representative

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name of Applicant/Operator or Authorized Representative

\_\_\_\_\_  
Date (MM/DD/YYYY)

=====  
Department Use Only

GP1 Application No. \_\_\_\_\_

ACTION TAKEN ON THIS APPLICATION:      Approved \_\_\_\_\_      Denied \_\_\_\_\_      Individual MOP Required \_\_\_\_\_

\_\_\_\_\_  
Assistant Division Director

\_\_\_\_\_  
Date (MM/DD/YYYY)